

J. A. Robertson, Robert Bornefeld and Charles Clarke, of Galveston county.

Members of the Board of Managers of the Deaf, Dumb and Blind Asylum for Colored Youths, J. W. Hill, vice T. W. Folts, resigned, and William A. Boswell, vice S. K. Morley, resigned, both of Travis county.

Member Board of Managers of the Confederate Home, W. T. Wroe of Travis county, vice W. H. Caldwell, resigned.

Members of the Board of Regents of the State University, H. M. Garwood of Fayette county, vice T. D. Wooten, resigned, and Henry B. Marsh of Smith county, vice W. L. Prather, resigned.

Members State Board of Dental Examiners, C. C. Weaver of Hill county, and M. S. Merchant of Lee county, and J. H. Grant of Anderson county, vice R. P. Pamill, resigned.

Pilot Commissioner for the Port of Sabine Pass, O. M. Stone of Jefferson county.

AFTER EXECUTIVE SESSION.

(Senator Miller in the chair.)

Resuming consideration of Senate bill No. 2 (see above), Senator Morriss offered the following amendment to Senator Linn's amendment:

"Amend the amendment by adding: 'And all that part of the moon that smiles upon Texas during the various phases thereof.'"

Both amendments were ruled out of order.

The bill as amended was then ordered engrossed.

Senator Patterson moved to adjourn until 10 o'clock next Monday morning.

Senator Potter moved to adjourn until 10 o'clock tomorrow.

Senator Patterson's motion was adopted, and the Senate, at 12:15 o'clock, adjourned until 10 o'clock next Monday morning.

EIGHTH DAY.

Senate Chamber,

Austin, Tex., Monday, Feb. 5, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Atlee.	Johnson.
Dibrell.	Lewis.
Goss.	Lloyd.
Greer.	McGee.
Grinnan.	Morriss.
James.	Patterson.

Potter.
Sebastian.
Terrell.
Turney.

Wayland.
Yantis.
Yett.

Absent.

Burns.
Davidson.
Gough.
Hanger.
Kerr.
Linn.

Miller.
Neal.
Odell.
Ross.
Stafford.
Stone.

Senator James moved a call of the Senate, which was ordered, the following Senators answering to their names:

Atlee.
Dibrell.
Goss.
Greer.
Grinnan.
Hanger.
James.
Johnson.
Kerr.
Lloyd.

McGee.
Morriss.
Patterson.
Potter.
Sebastian.
Terrell.
Turney.
Wayland.
Yantis.
Yett.

Absent.

Burns.
Davidson.
Gough.
Lewis.
Linn.
Miller.

Neal.
Odell.
Ross.
Stafford.
Stone.

No quorum.

Senators Davidson and Stafford were announced present.

Quorum announced present.

Prayer by the Chaplain, Rev. Garrett.
Pending the reading of the Journal of yesterday,

On motion of Senator McGee, the same was dispensed with.

EXCUSED.

On motion of Senator Greer, Senator Miller was excused from attendance on today and tomorrow on account of important business.

On motion of Senator Yantis, Senator Linn was excused for this week on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Yantis:

Petition from J. M. Thompson praying for the abrogation of the special tax on growing nursery stock.

Read, and referred to Committee on Finance.

By Senator Morriss:

Petition from all the druggists of Atlanta, Texas, opposing the tax on medicated bitters.

Read, and referred to Committee on Finance.

COMMITTEE REPORT.

Austin, Texas, February 3, 1900.

Hon. J. N. Browning, President of the Senate.

S : Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 2, being a bill to be entitled "An Act to partition the lands, adjust and settle the controversy between the public school fund and the State of Texas, growing out of the joint ownership of the public domain under the provisions of the Constitution of 1876, to provide for the payment of the sum due said fund and for the issuance of patents,"

And find the same correctly engrossed.

JAMES, Chairman.

BILLS AND RESOLUTIONS.

By Senator Dibrell:

Senate bill No. 6, A bill to be entitled

"An Act making appropriations for deficiencies in the appropriations heretofore made for the payment of expenses in support of the State government from March 1, 1899, to February 28, 1901, being for claims registered in the Comptroller's Office in accordance with law, and for outstanding claims not registered, and for other deficiencies."

Read first time, and referred to the Committee on Finance.

By Senator Turney:

Senate bill No. 7, A bill to be entitled "An Act making further appropriation for additional support of the State government for the year ending February 28, 1901, in order that the force of the Treasurer's Office, and especially that of the General Land Office, might be increased so as to transact the greatly increased business of the State in these two branches of the government."

Read first time, and referred to the Committee on Finance.

Resolution

BY SENATORS DAVIDSON AND SEBASTIAN:

Whereas, It having come to the knowledge of this body now in Called Session that the death of Governor William Goebel, of the commonwealth of Kentucky, occurred at 6:45 p. m. on the 3rd inst., the result of a gunshot wound from the hands of a concealed and cowardly assassin; and

Whereas, This body had watched with painful interest his struggle for life, and with an ardent hope that the tragic end might be stayed and the distinguished victim be permitted to again mingle in the walk of an honorable and useful life, as a manly, courageous and gifted statesman of the historic State of Kentucky; therefore be it

Resolved, That it is with profound sorrow this resolution is passed. And, in so doing, this body esteems it a privilege to commend the virtue of him whose life has been taken in the very fullness of his manhood and in the hour of his triumph. That, as a self-governing and law-abiding people, all Texas deplores the unhappy condition existing in our sister State, and join in the hope that the peaceful counsel of her illustrious son and dead governor may prevail.

That it is the sense of this body that patriotism, duty and obedience to law demands of every citizen of this Union an unqualified condemnation of assassination and the unlawful use of an irresponsible soldiery in the attempted overthrow of civil government, in denying the legal right of the representatives of a people to peacefully assemble in discharge of duty, and in refusing to submit to the mandate of the courts of this country, thus opening the flood gates to revolution and civil strife to the blight of a free people and the destruction of civil government.

That enrolled copies of this resolution be mailed by the Secretary of the Senate, properly signed by the President thereof, to the two houses of the Kentucky Legislature, and that a page of our Journal be set aside for the publication of this resolution.

Unanimously adopted by a rising vote.

Call concluded.

BILLS ON THIRD READING.

The Chair laid before the Senate, on third reading,

Committee Substitute for S. B. No. 2, "A bill to be entitled An Act to define the permanent school fund of the State of Texas, to partition the public lands between said fund and the State, and to adjust the account between said fund and said State; to set apart and appropriate to said school fund, in part payment of said account, the residue of the public domain of said State, to which the said fund is entitled under Section 2, Article 7, of the Constitution, adopted April 17, 1876; to appropriate the sum of twenty-nine thousand, three hundred and forty, and twenty-seven one hundredths dollars to the permanent school fund from the general revenue, not otherwise appropriated, in full payment of the balance due to said fund by the State of Texas, under the Constitution of 1876; to provide for the survey, purchase and lease of said land, and the issuance of patents in certain cases, and providing for suit by the State in Travis county against any person claiming any of the lands belonging to the school fund or any other fund."

The bill was read a third time.

By Senator Goss:

(ENGROSSED RIDER TO SUBSTITUTE SENATE BILL NO. 2.)

"Amend by adding after the word 'purchase,' in line 8, on page 7, of the engrossed bill the following: 'And a preference right over all other persons shall be given to an applicant for 160 acres or less who was an actual settler thereon on January 1, 1900, and who settled upon said land as a homestead donation prior to May 23, 1898, and who could have obtained patent thereto except for the decision in the case of Hogue vs. Baker.'"

Adopted.

By Senator Greer:

"Amend the engrossed bill, line 12, page 9, by striking out the word 'shall' when it occurs after the words 'to law he' and before the words 'at once,' and insert in lieu thereof the words 'may in his discretion.'"

Adopted by the following vote:

Yeas—16.

Dibrell.	Kerr.
Greer.	Lloyd.
Grinnan.	McGee.
Hanger.	Patterson.
James.	Potter.
Johnson.	Sebastian.

Terrell.
Wayland.

Yantis.
Yett.

Nays—6.

Atlee.
Davidson.
Goss.

Morriss.
Stafford.
Turney.

Absent.

Burns.
Gough.
Lewis.
Neal.

Odell.
Ross.
Stone.

Absent—Excused.

Linn.

Miller.

By Senator Patterson:

Amend Section three of the engrossed bill by adding the following:

"And it is further provided by this act that any person, firm or corporation making application to lease or purchase any of the lands mentioned in this act shall, before such application is filed in the office of the Commissioner of the General Land Office, file a notice of such application in the office of the county clerk of the county in which such land is situated or in the office of the county clerk of any county to which an unorganized county is attached, and such notice shall state the date of such application and the county in which the land sought to be purchased or leased is situated, the number of sections and the number of acres. And it is hereby made the duty of the county clerk to file such notice of application and make a minute of same in a well bound book, to be kept by him for such purpose, and he shall retain on file in his office said notice of such application, and the clerk shall be entitled to twenty-five cents for filing such notice. And it is further provided that any person, firm or corporation filing the first notice of such application to lease or purchase any of the lands mentioned in this act with such clerk, shall have the preference right of lease or purchase with the Commissioner of the General Land Office; provided, he or they shall forthwith file the application for lease or purchase with the Commissioner of the General Land Office after such notice of application for lease or purchase has been filed with such county clerk as provided herein. And it shall be the duty of all persons to file at once such notice as herein provided for, in case where they have application pending with the Commissioner of the General Land Office for lease or purchase of any of the lands hereby appropriated and for which patent has not issued at the time this act shall take effect."

By Senator Atlee:

Amend the amendment: "Add after word 'acres,' at end of first sentence, the following: 'And the fact that such notice has been filed in the clerk's office as herein provided, shall be stated in the application to purchase such land.'"

Adopted.

Amend the amendment: "Strike out all after word 'notice,' at end of second sentence."

Pending action, Senator Patterson offered the following substitute for his original amendment, as amended, and the pending amendment thereto, to wit:

"Whenever any application for purchase or lease of any of the lands affected by this act, is filed with the Commissioner of the General Land Office, it shall be the duty of the Commissioner to mail at once to the county clerk of the county where the land lies, or of the county to which it is attached, notice of such application; and when such land is awarded to the applicant, or his application is rejected, notice of his action shall also be mailed to said clerk, and the clerk shall in each case of such notice file the same and make a minute thereof in a book kept for said purpose, and he shall have the right to charge a fee of twenty-five cents against the applicant for each notice so filed and registered."

Adopted.

The amendment, as substituted, was lost (requiring a two-thirds vote on third reading), by the following vote:

Yeas—12.

Atlee.	Kerr.
Davidson.	Patterson.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Wayland.
Johnson.	Yett.

Nays—9.

Goss.	Potter.
James.	Terrell.
Lloyd.	Turney.
McGee.	Yantis.
Morriss.	

Absent.

Burns.	Neal.
Dibrell.	Odell.
Gough.	Ross.
Lewis.	Stone.

Absent—Excused.

Linn. Miller.

By Senator Grinnan:

Amend by adding after Section 4, the following:

"If any survey or surveys made under this act shall embrace more acres of land

than is actually sold by the Land Commissioner, title to such excess shall not pass to the purchaser."

Adopted.

By Senator Dibrell:

Amend Section 1 by adding thereto the following:

"Provided, this act shall not have the effect to transfer to the school fund any of the lakes, bays and islands on the Gulf of Mexico within tide water limits, whether surveyed or unsurveyed."

Adopted.

The bill as amended was passed by the following vote:

Yeas—20.

Atlee.	McGee.
Davidson.	Patterson.
Dibrell.	Potter.
Goss.	Sebastian.
Greer.	Stafford.
Grinnan.	Terrell.
James.	Turney.
Johnson.	Wayland.
Kerr.	Yantis.
Lloyd.	Yett.

Nays—2.

Hanger. Morriss.

Absent.

Burns.	Odell.
Gough.	Ross.
Lewis.	Stone.
Neal.	

Absent—Excused.

Linn. Miller.

Senator Potter moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

It appearing that on final passage the bill lacked one vote of receiving the necessary two-thirds vote to put it into immediate effect,

Senator Morriss, who had voted in the negative, asked unanimous consent of the Senate to have his vote changed and recorded in the affirmative.

Senator Hanger objected.

RESOLUTION SIGNED.

The Chair gave notice of signing, and did sign in the presence of the Senate, after its caption had been read,

Senate Concurrent Resolution No. 1, requesting Texas Representatives in Congress to support an appropriation for building canals and channels for an inland waterway along the Texas coast.

(Senator Goss in the chair.)

The Chair laid before the Senate, on second reading,

Senate bill No. 3, A bill to be entitled "An Act to fix the salaries of the superintendents of the several insane asylums of this State, and to make an additional appropriation therefor."

The bill was read a second time.

By Senator Davidson:

"Amend by striking out after the word 'and,' line 13, Section 1, all down to the word 'table,' line 15, Section 1."

By Senator McGee:

Substitute:

"Amend by striking out all after the word 'and,' line 13, page 1, Section 1, down to and including the word 'required,' line 16, page 1, Section 1, and inserting the following: 'Each superintendent shall be supplied with such furniture and household goods as is now on hand at each asylum, and shall be provided with heat, light and water for family purposes.'"

Senator Turney moved to postpone further consideration of the pending amendment until 3 p. m.

Pending action, the following privileged committee report was made:

COMMITTEE REPORT.

Committee Room,
Austin, Texas, February 5, 1900.

Hon. J. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 1, relative to waterways along the coast of Texas,

And find the same correctly enrolled, and have this day, at 12, noon, presented the same to the Governor for his approval.

GRINNAN, Chairman.

Pending action on Senator Turney's motion to postpone (see above),

Senator McGee moved to adjourn until 10 a. m. tomorrow.

Senator Atlee moved to adjourn until 3 p. m. today.

The Senate refused to adjourn until 10 a. m. tomorrow by the following vote:

Yeas—10.

Grinnan.	McGee.
Hanger.	Patterson.
Johnson.	Sebastian.
Kerr.	Stafford.
Lloyd.	Wayland.

Nays—12.

Atlee.	Goss.
Davidson.	Greer.
Dibrell.	James.

Morriss.
Potter.
Terrell.

Turney.
Yantis.
Yett.

Absent.

Burns.
Gough.
Lewis.
Neal.

Odell.
Ross.
Stone.

Absent—Excused.

Linn.

Miller.

The Senate then adjourned until 3 p. m. by the following vote:

Yeas—16.

Atlee.
Davidson.
Dibrell.
Goss.
Greer.
Grinnan.
James.
Kerr.

Lloyd.
Morriss.
Potter.
Stafford.
Terrell.
Turney.
Yantis.
Yett.

Nays—7.

Hanger.
Johnson.
Lewis.
McGee.

Patterson.
Sebastian.
Wayland.

Absent.

Burns.
Gough.
Neal.

Odell.
Ross.
Stone.

Absent—Excused.

Linn.

Miller.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Atlee.
Davidson.
Dibrell.
Goss.
Grinnan.
Hanger.
Kerr.
Morriss.

Potter.
Sebastian.
Stafford.
Terrell.
Turney.
Wayland.
Yantis.
Yett.

Absent.

Burns.
Gough.
Greer.
James.
Johnson.
Lewis.
Lloyd.

McGee.
Neal.
Odell.
Patterson.
Ross.
Stone.

Absent—Excused.

Linn. Miller.

Senator Terrell moved a call of the Senate, which was ordered, the following Senators answering to their names:

Atlee.	McGee.
Davidson.	Morriss.
Dibrell.	Potter.
Goss.	Sebastian.
Greer.	Stafford.
Grinnan.	Terrell.
Hanger.	Turney.
James.	Wayland.
Johnson.	Yantis.
Kerr.	Yett.

Absent.

Burns.	Odell.
Gough.	Patterson.
Lewis.	Ross.
Lloyd.	Stone.
Neal.	

Absent—Excused.

Linn. Miller.

No quorum.

Senator Greer was announced.

Senator Kerr moved to adjourn until 10 a. m. tomorrow.

Lost by the following vote:

Yeas—10.

Atlee.	Johnson.
Dibrell.	Kerr.
Greer.	Morriss.
Grinnan.	Wayland.
Hanger.	Yett.

Nays—10.

Davidson.	Sebastian.
Goss.	Stafford.
James.	Terrell.
McGee.	Turney.
Potter.	Yantis.

Absent.

Burns.	Odell.
Gough.	Patterson.
Lewis.	Ross.
Lloyd.	Stone.
Neal.	

Absent—Excused.

Linn. Miller.

Senator Johnson moved to adjourn until 9:55 a. m. tomorrow.

Adjourned by the following vote:

Yeas—12.

Dibrell.	Morriss.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Turney.
Johnson.	Wayland.
Kerr.	Yett.

Nays—8.

Atlee.	McGee.
Davidson.	Potter.
Goss.	Terrell.
James.	Yantis.

Absent.

Burns.	Odell.
Gough.	Patterson.
Lewis.	Ross.
Lloyd.	Stone.
Neal.	

Absent—Excused.

Linn. Miller.

NINTH DAY.

Senate Chamber,

Austin, Tex., Tuesday, Feb. 6, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Morriss.
Burns.	Neal.
Dibrell.	Odell.
Goss.	Patterson.
Greer.	Potter.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Terrell.
Johnson.	Turney.
Kerr.	Wayland.
Lewis.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Ross.
Gough.	Stone.

Absent—Excused.

Linn. Miller.

Prayer by the Chaplain, Rev. Garrett.

Pending the reading of the Journal of yesterday,

On motion of Senator Wayland, the same was dispensed with.

EXCUSED.

On motion of Senator Potter, Senator Terrell was excused for non-attendance on Wednesday and Thursday of last week, on account of important business.

On motion of Senator Atlee, Senator Neal was excused for non-attendance on yesterday, on account of important business.